



February 21, 2005

Ms. Susan Michniewski
New Jersey Department of Environmental Protection (NJDEP)
Land Use Regulation Program (LURP)
Bureau of Inland Regulation
P.O. Box 439
501 East State Street
Trenton, NJ 08625-0439

Subject: L.E. Carpenter & Company (LEC), Wharton Borough, Morris County, New Jersey
USEPA ID No. NJD002168748
Response to Deficiency Letter for Application for Stream Encroachment Permit and
Freshwater Wetlands Statewide General Permit No. 4
File No.: 1439-04-0001.1 (FWW 040001)

Dear Ms. Michniewski:

Please find enclosed responses to the deficiencies outlined in your letter dated February 15, 2005 regarding the above-mentioned project. The responses outlined in this letter have been prepared to directly correspond with the deficiencies outlined in the February 15, 2005 letter, and our discussions held on February 18, 2005.

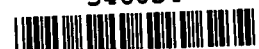
1) Letters of Interpretation

- a) The wetland delineation outlined in the Letter of Interpretation dated June 14, 2000 regarding the Air Products drainage ditch was utilized to modify delineated wetland areas shown in this application. These revisions are shown on the attached plan set Figures F3 (Wetland Impact Map), F4 (Wetland Restoration Plan), and F5 (Construction Staging and Excavation). The proposed transition zone associated with restorative wetland activities along the impacted drainage ditch wetland area has been removed. A 50' transition zone remains proposed for the impacted wetland areas associated with the Wharton Enterprise property (Block 801, Lot 5).
- b) Attempts to obtain copies of the Letters of Interpretation for the L.E. Carpenter site (File No. 1439-93-0001.1, issued 4/15/93) and the Wharton Investments site on Block 801, Lot 5 (File No. 1439-94-0001.1, issued 3/8/94) from the Borough of Wharton were unsuccessful. As a result, revisions to this permit application were submitted as scheduled to avoid further delays.

2) Mapping Revisions

- a) Reference revised Construction Staging and Excavation Plan (F5), Wetland Impact Map (F3) and Wetland Restoration Plan (F4).
- b) Reference revised Construction Staging and Excavation Plan (F5).

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- c) The 100-year floodplain is not depicted on any of the plan sheet drawings as agreed during the conference call.
- d) Reference revised Construction Staging and Excavation Plan (F5).
- e) The entire plan set has been signed and sealed by a New Jersey licensed engineer.
- f) As was discussed during the conference call, the plans do depict accurate drainage channel disturbance. Only the southern bank is proposed for disturbance. No temporary bypass of water will be required and appropriate sediment and erosion control measures will be placed in the ditch (*i.e.*, turbidity barriers). Proposed locations of the turbidity barriers are shown on the revised Construction Staging and Excavation Plan (F5). In addition, a floating turbidity barrier detail is presented on figure F7.
- g) Reference revised Construction Staging and Excavation Plan (F5).
- h) As was agreed during the conference call, reference revised Final Grading Plan (F6).

Please contact me with any questions or comments. Thank-you in advance for your cooperation.

Sincerely,

RMT, Inc., Michigan



Nicholas J. Clevett
Project Manager

cc: Nadine White, NJDEP LURP
Anthony Cinque, NJDEP
Stephen Cipot, USEPA
Cris Anderson, LEC
Jim Lewis, LEC
Ernie Schaub, LEC
Jon Rheinhardt, Wharton Borough
Dan Oman, RMT
Jim Dexter, RMT
Walter Kurzeja, RMT
Jeff Macri, RMT
Kelly Rice, JFNew
Central Files

DAYCO CORP./L.E CARPENTER CO.

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**7 Plans, 2/05, OU 1, Wetland and Stream Encroachment Permit
Applications**